

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

AVI & CO NY CORP.,

Plaintiff,

-against-

CHANNELADVISOR CORPORATION,

Defendant.

-----X

Case No.: 1:22-cv-10599 (PAE) (SLC)

**DECLARATION OF KAREN ALI IN  
OPPOSITION TO DEFENDANT'S  
MOTION FOR CHANGE OF VENUE**

**KAREN ALI**, declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the following is true and correct:

1. I am currently Director of Operations at Avi & Co NY Corp. (hereinafter "Avi & Co") and have been employed by Avi & Co since in or about February 2022.

2. I respectfully submit this Declaration in opposition to the Defendant's Motion for Change of Venue ("Motion"), and to supply this Court with exhibits relevant to its determination of the Motion.

3. This affidavit is based upon my own personal knowledge, conversations with other Avi & Co employees, and a review of business records maintained by Avi & Co.

4. As is evident by the five (5) contracts and agreements submitted by the Defendant ChannelAdvisor Corporation (hereinafter "Defendant" or "ChannelAdvisor"), Joe Cohen (hereinafter "Mr. Cohen"), my predecessor, signed each and every agreement in his capacity as "Director of Operations" at Avi & Co.

5. Mr. Cohen separated from employment with Avi & Co in or about December 2021.

6. His last known address, as maintained by the personnel records of Avi & Co, was in Long Island City, New York, located within Queens County.

7. Because he is no longer employed by Avi & Co, I am informed that his testimony must be compelled.

8. The Raleigh courthouse of the United States District Court for the Eastern District of North Carolina, Western Division, is located at 310 New Bern Avenue, Raleigh, NC 27601.

9. A search on Google Maps from Mr. Cohen's last known address to the North Carolina federal courthouse is more than five hundred (500) miles away. See copy of Google Maps print-out showing the distance between Mr. Cohen's last known address and the North Carolina court is 510 miles annexed hereto as **Exhibit "A,"** which has been highlighted for convenience.

10. A portion of Mr. Cohen's address has been redacted for privacy purposes.

11. I am informed by my counsel that Rule 45 of the Federal Rules of Civil Procedure generally prohibits a court from issuing a subpoena that would compel a non-party witness to travel more than one hundred (100) miles.

12. Mr. Cohen is a crucial witness in this case.

13. He was flown out by the Defendant to their headquarters in North Carolina, and had numerous discussions with the Defendant concerning the services they purport to provide.

14. Moreover, the documentary evidence in Avi & Co's possession readily establishes that Mr. Cohen was dissatisfied with the services provided because they did not work as advertised from early on when Avi & Co first entered into an agreement with ChannelAdvisor in or about January 2019. See copies of various e-mail exchanges for the time period of April 2019 and July 2019 between Mr. Cohen and Defendant annexed hereto as **Exhibit "B,"** which has been highlighted for convenience.

15. I am advised that these e-mails are business records of Avi & Co, as such e-mails with vendors are regularly made and kept in the ordinary course of Avi & Co's business.

16. I have attempted to contact Mr. Cohen but have been unable to ascertain whether he would willingly participate as a witness in this case.

17. To the best of my knowledge, Mr. Cohen secured employment elsewhere and is unlikely to be able to travel to North Carolina without being adversely impacted.

18. I understand that certain witnesses on ChannelAdvisor's end reside in North Carolina.

19. Avi & Co is willing to conduct any such witnesses' depositions remotely in an effort to ease the burden on any employee's or agents of ChannelAdvisor.

20. Further, to the extent this Court permits it, Avi & Co has no objection to the appearance of any such witnesses by virtual means at trial.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 6, 2023.

*Karen Ali*

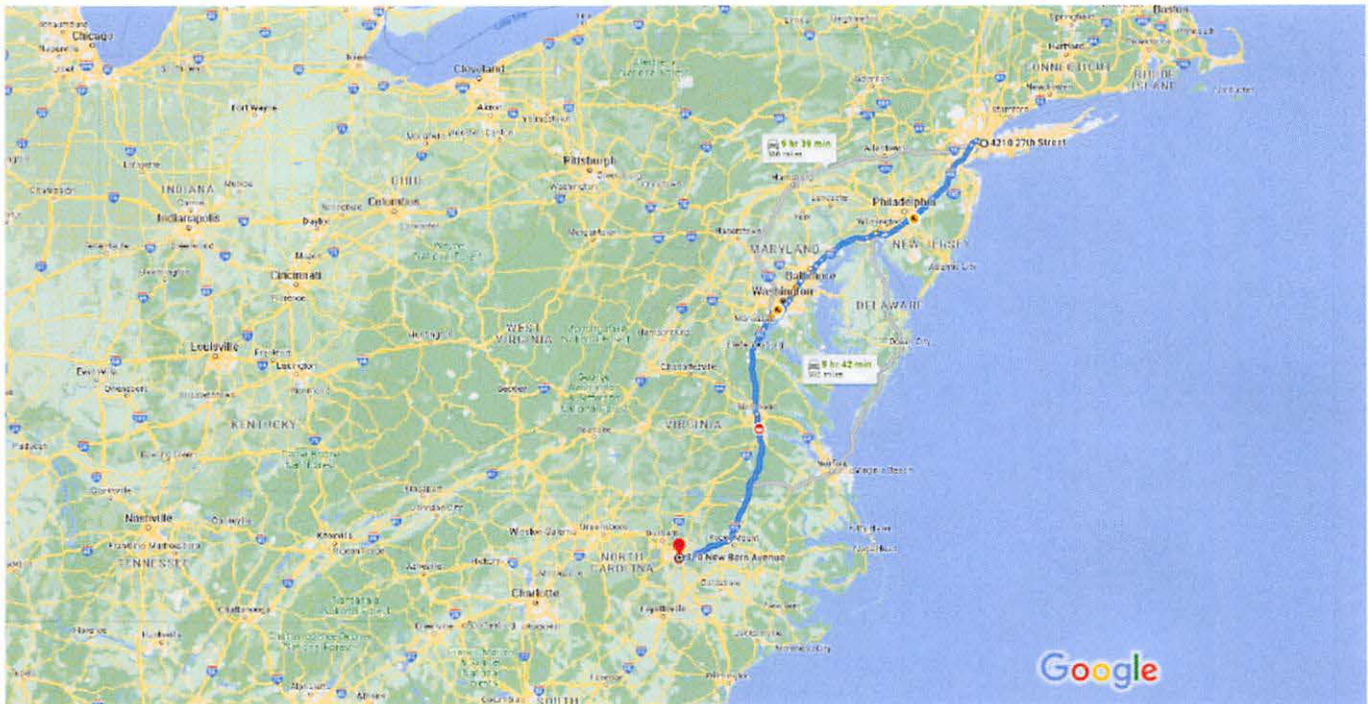
Karen Ali (Apr 6, 2023 15:11 EDT)

KAREN ALI

# EXHIBIT A



27th St, Queens, NY 11101 to 310 New Bern Ave, Raleigh, NC 27601 Drive 510 miles, 9 hr 3 min




Map data ©2023 Google 50 mi

27th St  
Queens, NY 11101

 This route has tolls.

Get on I-495 W from Jackson Ave and 21st St

- 7 min (1.0 mi)
- ↑ 1. Head southwest on 27th St toward 42nd Rd  
0.1 mi
  - ← 2. Turn left onto 43rd Ave  
256 ft
  - ↘ 3. Turn right at the 1st cross street onto Jackson Ave  
0.4 mi
  - ← 4. Turn left onto 21st St  
0.2 mi
  - ↑ 5. Take the Interstate 495 W ramp on the left  
 Toll road  
0.1 mi


Take I-95 S, NJ Tpke S, I-95 S, Baltimore-Washington Pkwy,  
... and US-64 W to Hammond Rd in Raleigh. Take exit 299  
from I-40 W

7 hr 50 min (507 mi)


- ⤴ 6. Merge onto I-495 W  
⚠ Toll road  
0.1 mi
- ↑ 7. Continue onto Queens Midtown Tunnel  
⚠ Toll road  
1.2 mi
- ↑ 8. Continue onto I-495 W/Queens Midtown Tunnel  
⚠ Toll road  
338 ft
9. Use the middle 2 lanes to take the 37 St exit toward Crosstown  
⚠ Toll road  
0.1 mi
- ⤴ 10. Merge onto E 37th St  
ℹ Pass by CityMD East 37th Urgent Care - NYC (on the right)  
1.1 mi
- ⤴ 11. Turn left to merge onto NY-495 W  
0.2 mi
- ↗ 12. Keep right at the fork to stay on NY-495 W  
⚠ Parts of this road may be closed at certain times or days  
ℹ Entering New Jersey  
0.9 mi
- ↑ 13. Continue onto NJ-495 W  
⚠ Parts of this road may be closed at certain times or days  
2.8 mi
- ↶ 14. Keep left to stay on NJ-495 W  
0.5 mi
- ↶ 15. Take the I-95 S/NJ Turnpike South exit on the left toward Newark  
⚠ Toll road  
0.7 mi
- ⤴ 16. Merge onto I-95 S  
⚠ Toll road  
5.6 mi
- ↶ 17. Keep left to stay on I-95 S  
⚠ Toll road  
55.0 mi
- ↑ 18. Continue onto NJ Tpke S  
⚠ Toll road  
48.8 mi
- ↗ 19. Keep right at the fork to stay on NJ Tpke S  
⚠ Toll road  
1.9 mi




- ↑ 20. Continue onto US-40 W/NJ Tpke S

 Toll road


0.5 mi
- ↗ 21. Merge onto I-295 S


 Toll road

 Entering Delaware

7.3 mi
- ↖ 22. I-295 S turns slightly left and becomes I-95 S


8.3 mi
- ↖ 23. Keep left at the fork to stay on I-95 S

 Toll road


 Entering Maryland

43.5 mi
- ↗ 24. Keep right at the fork to stay on I-95 S

6.8 mi
- ↗ 25. Keep right at the fork to continue on I-895 S,  
follow signs for Baltimore Harbor Tunnel  
Thruway/Annapolis

 Toll road

8.7 mi
- ↖ 26. Keep left at the fork to stay on I-895 S


 Toll road

1.8 mi
- ↗ 27. Take exit 4 to merge onto MD-295 S toward Balt  
PkwY/Bwi Airport

9.3 mi
- ↑ 28. Continue onto Baltimore-Washington PkwY


18.6 mi
- ↑ 29. Continue onto MD-201

0.3 mi
- ↑ 30. Continue onto State Hwy 295


 Entering District of Columbia


4.7 mi
- ↑ 31. Continue onto Anacostia Fwy/Kenilworth Ave  
Fwy

0.1 mi
- ↗ 32. Anacostia Fwy/Kenilworth Ave Fwy turns slightly  
right and becomes I-295 S/Anacostia Fwy S


 Entering Maryland

5.2 mi
- ↗ 33. Take exit 1C to merge onto I-495 S/I-95 S toward  
Richmond


 Passing through District of Columbia

 Entering Virginia

7.9 mi

- ↙ 34. Keep left at the fork to continue on I-95 S, follow signs for Richmond  
18.9 mi
- ↑ 35. Continue onto I-95 S  
76.8 mi
- ↙ 36. Keep left at the fork to stay on I-95 S  
 Entering North Carolina  
118 mi
- ↘ 37. Take exit 138 to merge onto US-64 W toward Nashville  
34.8 mi
- ↑ 38. Continue onto I-87/US-64 W  
10.2 mi
- ↙ 39. Use the left 2 lanes to take the I-87 S/I-440 E exit toward I-40/US-64 W/Durham/Benson  
0.8 mi
- ↗ 40. Merge onto I-440 E/I-87/US-64 W  
2.6 mi
- ↑ 41. Continue onto I-40 W/US-64 W  
2.0 mi
- ↘ 42. Take exit 299 toward Person St  
0.3 mi

Take S Person St to New Bern Ave

- ↗ 43. Merge onto Hammond Rd  
4 min (1.7 mi)  
0.5 mi
- ↑ 44. Continue onto S Person St  
 Parts of this road may be closed at certain times or days  
1.2 mi
- ↘ 45. Turn right onto New Bern Ave  
295 ft



# EXHIBIT B

**From:** [Joshua Hailey](#)  
**To:** [Joe Cohen](#)  
**Cc:** [Nick Castillo](#)  
**Subject:** Re: FOLLOW UP - Magento 2 Connector  
**Date:** Monday, April 22, 2019 2:12:46 PM  
**Attachments:** [image.png](#)

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Joe-

I'd love to jump on a call with Stefan to discuss with you--what does your week look like?

-Josh

On Mon, Apr 22, 2019 at 1:48 PM Joe Cohen <[Joe@aviandco.com](mailto:Joe@aviandco.com)> wrote:

Hello,

It's been almost 2 weeks since I've reached out about our current marketplace hold up.  
Can I please get some assistance here...

Best Regards,

Photo



**Joe Cohen**

Director of Operations, Avi & Co.

T: (212)354-1808

E: [joe@aviandco.com](mailto:joe@aviandco.com)

W: [www.aviandco.com](http://www.aviandco.com)

15 W 47th St. Suite 200, New York NY 10036



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**From:** Nick Castillo <[nick.castillo@channeladvisor.com](mailto:nick.castillo@channeladvisor.com)>

**Sent:** Tuesday, April 9, 2019 11:10 AM

**To:** Joe Cohen; Joshua Hailey

**Subject:** Re: Magento 2 Connector

Hi Joe,

Let me confer with [@Joshua Hailey](#) on this and get back to you.

Regards,

**Nick Castillo**

Client Strategy Manager, Marketplace Services

919.582.6745- office

3025 Carrington Mill Boulevard

Morrisville | North Carolina | 27560

[www.channeladvisor.com](http://www.channeladvisor.com)

On Tue, Apr 9, 2019 at 10:35 AM Joe Cohen <[joe@aviandco.com](mailto:joe@aviandco.com)> wrote:

Hello Nick,

Hope all has been well with you and your son.

I don't know if you are the right contact for this or not, but I was hoping you can guide me in the right direction.

Since I've initially reached out to Channel Advisor to become partners, to even when I flew down to personally meet with the team,

I have emphasized tremendously the fact that Avi & Co. will be sitting on a Magento 2 website by the end of April.

I was informed by Randy recently that it is just coming to light NOW that you guys don't have a way to connect to Magento 2.

She has informed me that there is a Magento 2 connector extension that you recommended which you want us to buy and install to our website,

I am willing to do that if I get reimbursed for the cost of the extension plus the charges that my web developer will charge me for installing it.

I think there is absolutely no reason for to pay out of pocket for this connector, since this entire time I have spoken about using Magento 2 and was never informed of this before.

Please let me know how we can proceed forward with this, because we've been held up by this for a while now and I'd like to continue making progress.

I look forward to hearing back from you.

Best Regards,

Photo



**Joe Cohen**

Director of Operations, Avi & Co.

T: (212)354-1808

E: [joe@aviandco.com](mailto:joe@aviandco.com)

W: [www.aviandco.com](http://www.aviandco.com)

15 W 47th St. Suite 200, New York NY 10036



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Have you seen our latest blog post? Always updated and always relevant...[click here!](#)

**Joshua Hailey**

Manager, Client Services

3025 Carrington Mill Boulevard  
Morrisville | North Carolina | 27560

[919.228.4779](tel:919.228.4779) office

[919.757.2004](tel:919.757.2004) mobile

Inline image 1



**We've Moved! Note Our New Address:**

3025 Carrington Mill Boulevard  
Morrisville | North Carolina | 27560

[www.channeladvisor.com](http://www.channeladvisor.com) - Be Seen



**From:** [Stefan Guy](#)  
**To:** [Joe Cohen](#)  
**Subject:** Re: Call follow up  
**Date:** Monday, May 13, 2019 7:36:47 PM  
**Attachments:** [ATT00001.png](#)

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Yes, I spoke with him earlier - I'll be meeting with him in the morning to review that file.

Part of the process is mapping the various data attributes based on the format of where the data will be coming from (I.e. Jewel Mate). This allows for a streamlined and smooth flow of the data each time you make edits etc.

Do you have a data file you can send from Jewel Mate? When I meet tomorrow they will confirm the process of using that initial data file which I will then relay to you.

Also, I'll be speaking with your new Account Manager to bring her up to speed and ideally introduce the two of you.

On Mon, May 13, 2019 at 6:21 PM Joe Cohen <[Joe@aviandco.com](mailto:Joe@aviandco.com)> wrote:

Hello Stefan,

Just following up, on our previous email.

Have you gotten in touch with Nick? Are you able to get access of the data file sheet?

Please keep me updated so we can keep things moving with no more delays.

Thank you.

Best Regards,

Photo



**Joe Cohen**

Director of Operations, Avi & Co.

T: (212)354-1808

E: [joe@aviandco.com](mailto:joe@aviandco.com)

W: [www.aviandco.com](http://www.aviandco.com)

[15 W 47th St. Suite 200, New York NY 10036](#)



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**From:** Joe Cohen  
**Sent:** Monday, May 13, 2019 2:48:15 PM  
**To:** Stefan Guy  
**Subject:** Re: Call follow up

Hello Stefan,

Thank you for your time as well.

My colleague Randy, has already sent this sheet over to Nick, maybe you should reach out to him to get it?

I know he's already been working on it.

Best Regards,

Photo



**Joe Cohen**

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**From:** Stefan Guy <[stefan.guy@channeladvisor.com](mailto:stefan.guy@channeladvisor.com)>

**Sent:** Monday, May 13, 2019 2:20:58 PM

**To:** Joe Cohen

**Subject:** Call follow up

Joe,

Appreciate your time for today's call - The conservative time frame I received was 1 week once data is provided.

Please send me the data file you mentioned you are currently using. What we really need is the data file that will be sent from Jewel Mate - Is that available?

I'll follow up this email with the work flow overviews, call recap, and anything else needed to have the fastest path.

Stefan Guy  
Account Executive



o: 984.228.2790

Named #1 Marketplace Management Provider 2011-2019



--

Stefan Guy  
*Account Executive*





o:984.228.2790

Named #1 Marketplace Management Provider 2011-2018



**From:** [Stefan Guy](#)  
**To:** [Joe Cohen](#)  
**Subject:** Re: Call follow up  
**Date:** Wednesday, May 29, 2019 2:21:50 PM  
**Attachments:** [ATT00001.png](#)

---

Good afternoon Joe,

Which months (#) are you referring too?

On Wed, May 29, 2019 at 1:46 PM Joe Cohen <[Joe@aviandco.com](mailto:Joe@aviandco.com)> wrote:

Hello Stefan,

Hope this email finds you well.

Just following up with our monthly charges.

We received our June to July statement and I am just wondering when we will be reimbursed for the previous months as we prior discussed.

Looking forward to hearing back from you.

Best Regards,

.oto



**Joe Cohen**

Director of Operations, Avi & Co.

T: (212)354-1808

E: [joe@aviandco.com](mailto:joe@aviandco.com)

W: [www.aviandco.com](http://www.aviandco.com)

[15 W 47th St. Suite 200. New York NY 10036](#)



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**From:** Stefan Guy <[stefan.guy@channeladvisor.com](mailto:stefan.guy@channeladvisor.com)>

**Sent:** Thursday, May 16, 2019 1:03:12 PM

**To:** Joe Cohen

**Subject:** Re: Call follow up

Joe,

Nick met with Randy yesterday and sound alike they mapped out the best path forward.

I'll plan to coordinate a call next week to introduce the new AM.

On Wed, May 15, 2019 at 4:54 PM Joe Cohen <[Joe@aviandco.com](mailto:Joe@aviandco.com)> wrote:

Hello Stefan,

Just following up on when I will be introduced to our new account manager.

Looking forward to hearing back from you.

Best Regards,

oto



**Joe Cohen**

Director of Operations, Avi & Co.

T: (212)354-1808

E: [joe@aviandco.com](mailto:joe@aviandco.com)

W: [www.aviandco.com](http://www.aviandco.com)

[15 W 47th St, Suite 200, New York NY 10036](#)



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**From:** Stefan Guy <[stefan.guy@channeladvisor.com](mailto:stefan.guy@channeladvisor.com)>

**Sent:** Tuesday, May 14, 2019 1:53:00 PM

**To:** Joe Cohen

**Subject:** Re: Call follow up

Joe,

Nick has a call with Randy tomorrow and will be reaching out to him today regarding the data.

On Mon, May 13, 2019 at 7:38 PM Joe Cohen <[joe@aviandco.com](mailto:joe@aviandco.com)> wrote:

Thank you for the update.

Looking forward to being in touch tomorrow.

Have a great rest of your evening.

Joe Cohen

Director of Operations | Avi & Co.

(212)354-1808

[joe@aviandco.com](mailto:joe@aviandco.com)

[www.aviandco.com](http://www.aviandco.com)

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**Subject:** Re: Call follow up

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Do you have a data file you can send from Jewel Mate? When I meet tomorrow they will confirm the process of using that initial data file which I will then relay to you.

Also, I'll be speaking with your new Account Manager to bring her up to speed and ideally introduce the two of you.

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Thank you.

Best Regards,

Photo



**Joe Cohen**

Director of Operations, Avi & Co.

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**To:** Stefan Guy

**Subject:** Re: Call follow up

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Best Regards,

Photo



**Joe Cohen**

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**To:** Joe Cohen

**Subject:** Call follow up

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I'll follow up this email with the work flow overviews, call recap, and anything else needed to have the fastest path.

Stefan Guy  
Account Executive



o: 984.228.2790

Named #1 Marketplace Management Provider 2011-2019



--

Stefan Guy  
*Account Executive*



o:984.228.2790

Named #1 Marketplace Management Provider 2011-2018



--

Stefan Guy  
*Account Executive*



o:984.228.2790

Named #1 Marketplace Management Provider 2011-2018



--

Stefan Guy

*Account Executive*



o:984.228.2790

Named #1 Marketplace Management Provider 2011-2018



--

Stefan Guy

*Account Executive*



o:984.228.2790

Named #1 Marketplace Management Provider 2011-2018





**From:** [Stefan Guy](#)  
**To:** [Joe Cohen](#)  
**Subject:** Re: Phone Call Recap 6/19  
**Date:** Wednesday, June 19, 2019 5:51:34 PM

---

Hey Joe,

Appreciate your time as well.

I'll follow up with you on the phone tomorrow. What time works best for you?

On Wed, Jun 19, 2019 at 5:21 PM Joe Cohen <[Joe@aviandco.com](mailto:Joe@aviandco.com)> wrote:

Hello Stefan,

Thank you for taking the time to jump on a phone call earlier today.

I'd like to just recap some of the major points from our discussion earlier.

Market Places:

- 5 Months into contract and only on month 5 we are making progress on mapping out connectivity solutions from our ERP to Channel Advisor Platform.
- No other results or performance made.

Marketing Management:

- 5 months passed, very weak ROI on Ad Spend.
- Not seeing Google Ads on any relative watch terms including Watch Brand or Watch Models

I look forward to hearing back from you, after your conference meeting with all those involved with the Avi & Co. account.

Best Regards,

Photo



**Joe Cohen**

Director of Operations, Avi & Co.

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E: [joe@aviandco.com](mailto:joe@aviandco.com)

W: [www.aviandco.com](http://www.aviandco.com)

[15 W 47th St. Suite 200, New York NY 10036](#)



--  
  
Stefan Guy  
Account Executive



o:984.228.2790

Named #1 Marketplace Management Provider 2011-2018



**From:** [Joshua Hailey](#)  
**To:** [Joe Cohen](#)  
**Subject:** Re: Revision of Agreement  
**Date:** Wednesday, July 31, 2019 11:52:57 AM  
**Attachments:** [image.png](#)

---

Joe-

We are reviewing your communication internally, and will reach out to you quickly with next steps from our perspective.

-Josh

On Mon, Jul 29, 2019 at 11:45 AM Joe Cohen <[Joe@aviandco.com](mailto:Joe@aviandco.com)> wrote:

Dear Joshua,

After careful analysis of the services that were outlined in the PDF named "**AviandCo\_Scope of Services Breakdown\_1.15.19.pdf**", and our agreement, it is evident that we have not received the services that we had contracted ChannelAdvisor for. We are also dissatisfied with the services that we have received and find them to be unacceptable. Avi & Co. is no longer interested in receiving Marketing Services from ChannelAdvisor and requests that all services related to Marketing Services be stopped effective immediately. We request that ChannelAdvisor revise our Agreement immediately to remove the Marketing Services.

The August 1<sup>st</sup> payment cannot be made until the agreement is revised according to what we have written above.

**Kindly confirm in writing via return email that you will comply with our request.**

Below, you will find an explanation of the services that we should have contractually received (and did not) as well as commentary on the quality of the services that we found unacceptable.

If you would like an elaboration on any of these points, please don't hesitate to contact me.

**(As per the PDF AviandCo\_Scope of Services Breakdown\_1.15.19.pdf)**

Managed Services: Digital Marketing

- Inventory data-feed setup and enhancements
- Optimize content for higher rankings

Avi & Co. Comments: Our rankings have not improved since the beginning of our contract.

As of July 1<sup>st</sup>, only 4 keywords appeared in the top 100 positions of Google. We have re-hired our previous SEO specialist who, within 3 weeks, was able to get many of our keywords into top 100 positions of Google.

- Streamline campaigns to increase engagement

Avi & Co. Comments: We have not seen an increase in engagement.



- Baseline tracking, category mapping, promotional updates and removal of poor performing products

- Setup of URL tracking and assistance with pixel implementation

Avi & Co. Comments: We have never received a report showing that URL tracking was being done.

- Keyword coverage on all selected products, categories and brands
- Application of bid-management best practices
- Frequent audit of landing pages and trademark violations

Avi & Co. Comments: It is 100% clear that our pages have not been audited. One of the obvious signs of this has been all of the “disallowed” ads that Google AdWords reported. Incorrect URLs have been used many times. Even with the change in URL structure that took place approximately 3 weeks ago (i.e. changing .html pages to pages ending with a slash), all previous .html pages were redirected to their corresponding new URLs. So it would not have mattered if the page referenced in the ads pointed to the .html version of the page as they would have been redirected to the correct pages.

- Weekly status call and report delivery
- Quarterly account planning
- Comprehensive data and analytics
- Understand how each of your SKUs is performing across channels
- Optimize your product data to improve findability, visibility and traffic quality

Avi & Co. Comments: We cannot see any sign of the product data being ‘improved for findability, visibility and traffic quality’.

- Manage costs and uncover revenue-increasing opportunities

Avi & Co. Comments: We have found the opposite true. We have found that a good portion of our ad budget was spent unnecessarily. Case in point is the fact there was little to no focus on prompting calls to our site. In Marcus’ discussion with Dan Globus 2 weeks ago, Marcus stated that prompting calls to Avi & Co. was not a primary focus of his campaigns and he did agree that it should have been.

- Customize your listings and ads for different devices
- Track buyer behavior to better understand the clicks that lead to conversions
- Compare your performance against your competitors’
- Use predictive analytics to place the best bids for each keyword

#### **Additional Observations and Comments:**

Firstly, prior to ChannelAdvisor, we had an independent contractor who was a certified Google Ad’s specialist who managed our AdWords account.



When coming into agreement with ChannelAdvisor, it was of the obvious assumption that a company of your scale would be able to generate a lot more results than a single independent contractor had for our company. Sadly, we were mistaken. We have been in agreement for 5 months now and the expected results have yet to be met.

Secondly, by the Terms on our Agreement, it was understood that our Ads account would be "Fully Managed" in which it was not. Marcus, is a great individual but it is clear that his skill level is Intermediate with Google Ad's. There was no critical thinking applied to any of our campaigns. Many of the wrong keywords were being used. And, almost none of the proper keywords were used in any of our campaigns. I had to assign a member of my team to create several different document spreads of each watch brand/model and each of its corresponding keywords for Marcus to use as a template to map out his campaign strategy. If my company has to do all the leg work then this really isn't a "Fully Managed" service.

Thirdly, our SEO specialist Dan and I have been overlooking our AdWords account to track performance and results and I must say it was quite upsetting to see how unprofessional Marcus's planning was. I've attached a few screenshots to show the kind of campaign titles he was producing.

- The titles were very poorly written. There are small issues that make a difference. For example, not capitalizing the first letters of the "richard mille" name is not acceptable.
- Using a statement like "Shop Luxury Watch Online" sounds like it was written by someone who speaks English as a second language.
- Capitalizing each word is something that might be done in the descriptions that appear under organic listings, but is not used by any of the bi names when running Google Ads.
- Most importantly, I don't find the ads "compelling". They don't make me want to shop at Avi & Co. They don't establish Avi & Co. as THE company that I want to buy Richard Mille from. What I mean by this is that from a true advertisement point of view, where you're trying to convince people to click on the ads, these ads fail.

Lastly just to clarify, we've spent over \$90,000 in **bad** Ad Spend, as well as \$20,500 for your "Marketing Management Fee" over the past 5 months.

This totals to \$110,500 spent since we've been in agreement. I must ask myself based of these results whether our ROI has been meet. I respectfully have to say NO.

Thus concludes the reasons that Avi & Co. is no longer interested in receiving anymore marketing management services from ChannelAdvisor and would like to revise our Agreement effective immediately.

I look forward to hearing your feedback and how we go about revising our agreement.

Best Regards,

Photo



**Joe Cohen**

Director of Operations, Avi & Co.

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Inline image 1



**We've Moved! Note Our New Address:**

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[www.channeladvisor.com](http://www.channeladvisor.com) - Be Seen











# 2020-04-06 FINAL Declaration of Ali

Final Audit Report

2023-04-06

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